

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANA JARVIS, *et al*,

Defendants.

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Cause No. 05-CR-1849-JH

**UNOPPOSED MOTION BY GREG HILL
TO VACATE PLEA HEARING**

Defendant GREG HILL, through his undersigned counsel, moves this Court to vacate the plea hearing set for June 21, 2007. As grounds therefor, he would show the Court the following:

1. He had a landscaping accident on June 5, 2007, and injured his eye. Previously, on May 24, counsel had spoken with the magistrate judge's staff to set up the June 21 plea hearing (the notice was not filed until later, but the conversation with the judge's staff took place on May 24).

2. His eye has not recovered to the point where it is safe for him to travel. Attached is a letter from Dr. Scott Caugheil, setting out the diagnosis and recommending against travel. Furthermore, Dr. Caugheil is a specialist, and the next time he needs to see, and has time in his schedule to see, Mr. Hill, conflicts with travel for this court hearing.

3. Counsel has consulted with AUSA James Braun, who does not oppose the relief requested herein.

WHEREFORE, Mr. Hill requests that this matter be removed from the June 21 calendar.

Respectfully submitted,

electronically filed

KARI CONVERSE

2001 Carlisle Blvd. NE #E
Albuquerque, New Mexico 87110
(505) 262-8597
Fax (505) 262-1730
Counsel for Mr. Hill

CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2007, I filed the foregoing electronically through the CM/ECF system, which caused all parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic filing.

electronically filed
Kari Converse

INDIANA UNIVERSITY



June 16, 2007

SCHOOL OF
OPTOMETRY

RE: Greg Hill DOB 1/18/1955

To Whom It May Concern:

Greg Hill has been treated at the Atwater Eye Care Center for ocular trauma in his right eye, incident occurring on 6/5/2007. The injury resulted in preretinal hemorrhage, uveitis and elevated pressures. Treatment has included prescription medication and reduced physical activity. Follow-up exams have indicated that the condition is improving, however, Mr. Hill is still experiencing visual sequelae and is being monitored closely. It is recommended that he continue the regimen of medication and reduced physical stress in order to ensure that no further complications arise. Reinjury could result in permanent vision loss; therefore it is not recommended that he travel until the injury has further resolved.

Mr. Hill is scheduled for a follow-up appointment on June 19 at our clinic. It is our opinion that this condition may require at least another month to satisfactorily resolve. Thank you for your attention in this matter.

A handwritten signature in cursive script, reading "Scott J. Caughell, O.D.".

Scott J. Caughell, O.D.
Indiana University School of Optometry

ATWATER EYE CARE CENTER

800 East Atwater Avenue
Bloomington, Indiana
47405-3680

Clinic: 812-855-8436